

GROUND #4.

BASS ROSSER, Sworn for the State. I have examined the stenographer's report of the trial of the case of State vs. Leo M. Frank, Same comprises seven large volumes, written on legal cap paper, and covers 3,647 pages.

5th GROUND.

ALBERT MCKNIGHT, Sworn for the State. I have heard read to me the affidavit which has my signature on it, and which I swore to before G.C. February on the 15th day of April, 1914, and witnessed by several white men, this being the affidavit that was taken from me at the police station recently. This paper is just exactly as I spoke it. This affidavit is absolutely true. The reason I made the affidavit for Burke was because he kept on after me. Burke came to me and told me that he would get me a job at the Terminal Station, making \$10.00 a week, and he said the tips I would get around would average \$100. He asked me how much I was making, and I told him \$7.00 a week. He asked me hadn't I rather have a job like that thsn [sic] have one just making \$28.00. I told him yes. He says, "Why don't you go on then and tell me the truth," says, that "there isn't pne [sic] out of a hundred believes what you told on the stand." He asked me could he learn me how to drive his automobile, and I told him yes. He says, "Why don't you go on then and tell me the truth." says that "there isn't one out of a hundred who believes what you told on the stand." He asked me could he learn me how to drive his automobile, I told him yes. He says, "Well, then, if you wouldn't like the job around the Terminal Station, I will learn you how to drive the car, and move you in a little house out near me, and Minola can work for me if she wants to. The job he got me was a job at a guano house. I wouldn't take that job, and he sent me then down to Schoen Bros., 325 Decatur St. packing hides. Schoen Bros. are Jews. I worked down there for 5 days. I lays off then until next Monday. He promised me that Terminal job and never gave me that, and promised to learn me to drive his automobile and didn't give me that job. I got hurt at a crossing on McDaniel Street. I was hiding out to keep away from the detectives. Burke told me that they were looking for me to make a witness out of me in the Conleyn [sic] case. This is the first I know they were looking for me. He told me to leave town that Sunday before the Conley case came up the next week. He told me not to let them get me by

any means. I asked him if I went to Stockbridge to my mother's would that be all right, and he said yes, just so I got out of town and didn't let them get me. After I was hurt they took me down to Fairhaven Hospital, colored. When I was down there Burke came down and brought a man by the name of Burns and some Jew, whose name I don't know. Burns went over with me, in Burke's presence the same things that I stated to Burke, and I told the same thing, I told Burke, but Burke knew I was not willing to tell the truth. I am now staying at the police station because I want to stay there to keep Burke and his crowd from worrying me. While I was over at the hospital, while Mr. Burns and Mr. Burke were present, they tried to get me to say that the city detectives beat me up. They asked me if I was sure the train hit me, said I had a scar on the back of my head, and I couldn't have got bruised by getting struck by the train, that they believed the detectives beat me up. They asked me "Do you know for certain that the train hit you"? I told them yes sir. Burke gave me the attached card and said to leave town, and if any of the detectives got me to call him up and he would come to see about me. Nobody has mistreated me since I have been staying at the station house. I have read over as best as I could this affidavit and the affidavit I swore to before G.C/February, on 16th of April, 1914, and I have written my name on each page to this affidavit, and of that affidavit, both of which I say contain true statements.

(Attached to the above affidavit is the card of C.W. Burke, referred to in the affidavit, with the name Albert McKnight written across it).

Mr. Burke come out to my house three or four times to see me in the afternoon, but he didn't catch me there until he had made the third or fourth trip, and he caught me there at seven thirty and I was in bed, and he sat down and talked to me, the way people do and that I had to die, and if I had to die then did I think I would go to heaven and all like that and I said yes, and all the time I knew he was after, for me to change my affidavit, and Minola would tell me at night that these fellow had been out there to see me, and I said what for and she claimed she didn't know, and he come the second time and I wasn't there, and he come again, I think it was Thursday or Friday, and I wouldn't make him no affidavit, and then

he says "I will come to see you Sunday afternoon, will you be here, and I said yes sir, and he said I will be here at 2 or 3 o'clock and I said all right, and so he come out there that evening. There was nobody with him that Sunday I give him the affidavit, and he told me, he says "there isn't one out of hundred that will believe what you testified to on the stand" and I says "I can't help that, it was the truth" and he said "that is a damned lie, you know it aint the truth, why don't you tell me the truth now, your wife has told me that you told her it wasn't the truth" and I told him I didn't tell her that. He wanted me to make another affidavit, and he said "didn't Craven offer you a whole lot of money or give you some money to make the affidavit" and I said no he didn't promise me nothing, I made it of my own free will" and Mr. Burke keeps after me until I would say I would make him one and so I said all right and I said I don't know nothing about it, I wasn't there on that day I was there at 12 o'clock and leaves there at 12;30" and I says "I was not at home when Mr. Frank come in, whether he was there or not, I don't know for I wasn't there" and Mr. Burke wrote all of that down, and I told him all of this affidavit was a lie, and that it was made up, and when I told Mr. Burke it was made up by me, he wrote it down as Mr. Craven preparing it for me, and I swore to it, but I didn't tell him Mr. Craven prepared it for me, and he says, he asked me a whole lot of questions, he said it I hadn't changed my affidavit and told the truth the Jews were fixing to do something to me, he never did say what they would do only je said they would kill me if I hadn't changed my statement and told the truth, and I told him that I told the truth the first time, and he says I gained more friends by changing my statement. I never did make but one statement to Mr. Burke, but I have signed three or four for him, I signed one yesterday for him, I was at the Terminal Restaurant, and Mr. Burke comes in the cook room where I was at and said "hello Albert" and he said "come on there are two fellows out here wants to see you, but I didn't know who they were, and I goes on with him and goes to the colored waiting room and Mr. Burke stops in the hall where the white folks go to the trains, and he talked with the head man, and me and these other two fellows were standing in the waiting room and he reads this affidavit over to me, or pretended to read it to me, whatever he read sounded like this first affidavit I made for him, and I signed it, and after I signed he says "this is your affidavit then is it" and I said "yes

sir" and I held up my right hand and swore to it and he says all right good bye and they passed by Mr. Burke and I goes back into the cook room and Mr. Burke never said anything more to me at all, and he tells Mr. Boyd to discharge me from my job, and Mr. Boyd said when and he said right now. The reason I quit the Beck & Gregg Hardware Co. Mr. Burke said he would get me a better job. While I was at the hospital Mr. Burke called on me and asked me if I was suffering for anything and I told him no. I don't remember how many times he come out there to see me, but he come once or twice before I got my senses. Mr. Burns come to see my while I was in the hospital and he read the affidavit to me that I had made to Mr. Burke, and he asked me if it was true and I told him yes, and he just went over a whole lot of questions that Mr. Burke had gotten. That was while I was sick in the hospital. The affidavit those two fellows got me to sign over at the Terminal Station was already typewritten when they brought it over there, I didn't have to say anything. The only paper that was written in my presence was the first one I made at home. All the others that I have signed, which have been at different times, were already written when they were brought to me, and they read something to me, I suppose they read what was in the papers. The first affidavit I made to the officers and in court is the truth and all the others are false.

R. L. CRAVEN, Sworn for the State. I have known Albert McKnight for over a year. I did not know where he lived or for whom his wife worked, or that he knew anything about anybody related to Leo M. Frank in any way until one day I happened to hear Albert make a remark to another negro about Frank. That attracted my attention, and I asked what he knew about Frank. He said he ought to know, his wife had been working for Frank about a year and a half. I went on to question him to tell me what he knew about it. Albert said he was at the Selig home when Mr. Frank came in at lunch time, said Frank came in the dining room, went up to the sideboard, looked in the sideboard, stayed in there a few minutes and turned around and walked out and he told me other things connected with that matter at that time. I asked him to make a statement and he said he was afraid they would lock him up. I told him he needn't be afraid if he told the truth, and if he knew anything and it was the truth, he ought to tell it, and I cautioned him not to tell anything but the truth, and to be very careful what he said, because it was a very serious matter to accuse a man of a crime of

that kind unless it was absolute fact. He also told me what his wife, Minola McKnight, told him, which was as follows: That Miss Lucile was telling Mrs. Selig Mr. Frank came home and acted like he was drunk, didn't sleep well and made her get out of the bed and sleep on the rug by the bed, said she wanted to know what was the matter, and he said he had murdered somebody. Afterwards I told both Mr. E. H. Pickett and Mr. Angus Morrison. Albert told me his tale and I wrote it down. I told Mr. Morrison to get in some place where he could hear me talk to Albert about it without Albert knowing Mr. Morrison was listening. I did that, and Albert repeated the same story he had originally told me, and I then also, in addition to letting Albert tell me, read it over to Albert so Mr. Morrison could hear it, and Albert was right there with me, helping to read what I had written out. I read it slowly, so he could understand everything. He said what I had written down was true, and he afterwards swore to the same thing on the stand. Afterwards he swore to the same paper which I read over to him. Said paper is hereto attached, marked Exhibit "A" and made a part hereof, same being identified by writing my name on it. Nothing was ever said at any time by me with reference to any reward, and I have never put in any claim for any reward, and I do not now claim a reward, and I do not expect to make any application for any reward, and do not want any reward. My interest was simply to get at the truth. McKnight's talk with another negro was simply overheard by me and he made every statement that he made to me with reference to what he knew about this freely and voluntarily without any threats of any kind or character whatsoever. I neither threatened him nor paid him nor urged him, but did from time to time caution him to tell nothing but the truth, and endeavored in every way that I could to impress upon him that it was a very serious proposition to tell what he told unless it was the truth. I was present at the police headquarters when Minola McKnight made her affidavit sustaining everything that Albert McKnight said to me. Albert McKnight, in the presence of his wife, Minola McKnight, stated that what he had said was the truth, and Minola McKnight at last admitted that it was the truth. George Gordon, who claimed to be the attorney for Minola McKnight, heard every word of the paper which Minola McKnight signed, read over to Minola McKnight, and was present when Minola McKnight signed her name to that paper, which she afterwards repudiated, and said George Gordon questioned

Minola McKnight in my presence about some statements contained in that affidavit, and Minola McKnight told him in my hearing that the statements were true. Albert McKnight was also present and heard everything that occurred and was urging Minola McKnight to tell the truth. I heard J.N. Starnes, detective, tell Minola McKnight before she signed her paper, that if she could tell him anything favorable to Frank, that he wanted her to do it, because he would a good deal rather hear something favorable to him than something against him, and he further told Minola McKnight in the presence of her attorney, George Gordon, and in the presence of her husband, Albert McKnight, "Now Minola, if this is not the truth that you are stating, don't you tell it." Albert McKnight is present when I sign this affidavit and I have read over to him the same before I signed it, and Albert McKnight says that where in reference in this affidavit is made to him and what he said and did, the same is absolutely true:

(Exhibit "A" referred to above is as follows:

Monday - May 26 - 1913 - and attested before a notary June 2, 1913.

I, Albert McKnight was at Mr. Leo M. Frank's home on East Ga. Ave. the Saturday the girl was murdered at the Pencil factory on Forsyth St. My wife Minola is cooking for Mr. Frank and has been for about two years. I was in the kitchen about 12 o'clock this same Saturday that they say the girl was murdered. The door bell rung and my wife Minola went to the door. When she come back in the kitchen I asked her who it was at the door and she said Mr. Frank. She asked him if she must fix his dinner now and he said he did not want any. He did not go upstairs to see his wife as she asked what went with Mr. Frank, wasn't that him that home just now. Mr. Frank left the house in about five minutes. I saw him go out of the house and catch the Georgia Avenue car. I was at the house from about 9 A.M. Saturday on until about 3 P.M. I went back to Mr. Frank's house the next morning Sunday. When I went in the kitchen my wife said what do you think Mrs. Frank said Mr. Frank said he had killed somebody and that he rolled and tumbled all night and said he could see it looking at him and to give him his damn pistol and let him shoot his damn head off; What made me do it, a man like me, I must be crazy. Mrs. Frank asked her father and mother if she thought he had really killed some one. He had been drinking, he made me get out of bed and sleep on the rug by the bed. This was told at the breakfast table Sunday morning and my wife was listening from the kitchen. Then Mrs. Frank was only paying my wife \$3.50 per week up to the Saturday of the murder and they told her if she would not talk they would pay her \$7.00 per week and she would not have to work as late as she had been doing. And for her to say nothing at court but what they told her to say. They have her \$5.00 extra the day she went to court. They are paying my wife money all along as she is buying

lots of dresses and has money all the time. I can tell Mr. Frank has done something as they act strange. Mrs. Frank tells Magnolia every day not to forget what to say if they come for her to go to court again. Mrs. Frank had a quarrel with Mr. Frank the Saturday morning of the murder she asked Mr. Frank to kiss her good bye and she said he was saving his kisses for (blank) and would not kiss her. Magnolia also heard Mrs. Frank say she would never live with him again for she knew he had killed that girl and that they had the right man and ought to break his neck.

Signed, Albert McKnight and witnessed by R. L. Craven and A. Morrison
E. H. PICKETT, Sworn for the State. I have been working for the Beck & Gregg Hardware Company for twelve years. Albert McKnight was discharged by me for some minor offense from the employ of the Beck & Gregg Hardware Company some time immediately previous to April 26, 1913. I cannot recall the exact date and was not working for me on April 26, 1913, but came back to work for the Beck & Gregg Hardware Company a few days after the murder, but exactly how many I cannot recall. Albert McKnight freely and voluntarily stated to me that he saw Leo M. Frank on April 26, 1913, at the Selig home between 1 and 2 o'clock; that Frank did not eat any dinner and that he went over to the sideboard, stood there for a few minutes and left the house in ten minutes after arrival, and made the other statesment [sic] which he swore to in the trial of the case of the State vs. Leo M. Frank. He not only made these statements to me, one time, but many times. I have read over the affidavits this day signed my Messrs. R.L. Cracen and Agnus Morrison, and the same are true, wherein they contain statements which purport to refer to those certain facts coming within my knowledge. I was also present at the police station and heard what occurred there, as testified to by Mr. Craven. After Albert McKnight made the statement to Mr. Craven, and before the same was sworn to, and before anything was made public, I impressed upon Albert McKnight the importance of telling the truth, and I told him that under no circumstances could he expect to get any reward or any money for what he said he was willing to swear. On the other hand I told him that it would probably cause his wife, Minola McKnight, to lose her job and could only result in worry and trouble to him, even if what he said

was true, my purpose being to see that there was no improper influences operating on his mind in telling what he did. Albert McKnight is present when I sign this affidavit and has heard read over to him the same before I signed it, and Albert McKnight says that wherein reference in this affidavit is made to him and what he said and did, the same is absolutely true.

ANGUS MORRISON, Sworn for the State. I have been working for the Beck & Gregg Hardware Company for fourteen years. I heard the affidavit this day signed by R. L. Craven, dictated, and I have read over and seen him sign that affidavit. In so far as the statements in that affidavit refer to me, they are absolutely true. I concealed myself in #3 warehouse of the Beck & Gregg Hardware Company at the request of Mr. Craven and for the purpose of hearing Albert McKnight make a statement with reference to what he knew about Leo M. Frank on Saturday, April 26, 1913. I heard Albert McKnight tell Mr. Craven that he saw Leo M. Frank between one and two o'clock on the Saturday that Mary Phagan was killed, that Frank came home, that he saw him through the looking glass, go into the dining room, that Frank did not eat anything, that he stepped over to the sideboard, and that Frank left the house within ten minutes after he got there. I also heard him tell what Albert said his wife Minola told him about what occurred between Mrs. Lucile Frank, Mr. Frank's wife, and Mrs. Selig, Sunday morning at the breakfast table. I then heard Craven read over to Albert McKnight what Craven said he had written out and Albert said it was the truth. I never thought of any reward don't want any reward. I knew the Solicitor General well and I happened to meet him casually one day after I had heard the aforesaid conversation. I told him that I could give him an important bit of information, but that at that particular time I was in a hurry. A week or ten days passed before the matter was again discussed, then Starnes and Campbell came up and said that Mr. Dorsey had sent them to see me. I declined to talk to them until I had called Mr. Dorsey over the telephone, and he said it was all right and I then took them down to Mr. Craven and McKnight. McKnight told the detectives exactly the same thing he told Mr. Craven. Both Starnes and

Campbell told him that if it wasn't the truth to say so. McKnight then signed the paper before a notary public, which Craven had read over to him. McKnight continued to work at the Beck & Gregg Co. until it was reported in the papers he had made an affidavit for Leo M. Frank. I never came back to work after the newspaper published the repudiation of his evidence in affidavit of April 15, 1914.

W. W. BOYD, Sworn for the State. I know C.W. Burke. I run the Terminal Restaurant. Albert McKnight was working in the restaurant in the capacity as pot washer. On the 15th day of April, 1914, Burke came to me and told me that McKnight wanted to quit. I did not know McKnight until Burke came and told me that he wanted to quit. Lehon and another man were with Burke at the time. Burke talked with McKnight, I don't know how long, over in the colored café. I assumed that McKnight wanted to quit and I let him go.